

From: Aron Insinga
To: Microsoft ATR
Date: 1/23/02 11:40pm
Subject: Microsoft Settlement

I believe that the proposed settlement of the case against Microsoft is far too weak. I do not believe that this settlement would have any substantial effect on their behavior. Time and again they have shown their disregard for the government and the court and the law: they circumvented a previous settlement by agreeing to limits on a product which they knew would soon be obsolete, they mocked court orders by releasing a non-functional product, they provided falsified video tape as evidence during their trial, etc.

I believe that this proposed settlement relies far too much on Microsoft policing themselves and it is therefore seriously flawed. It does nothing to punish them for breaking the law, it does nothing to deprive them of their ill-gotten gains, it does nothing to end their monopoly of the desktop operating system, and it does nothing to prevent them from extending their monopoly into other areas, such as content. I find the later point quite disturbing.

I do not believe that the operating system, the applications, and content should be controlled by the same company. I fear that, in the future, Microsoft will be able to continue to use their desktop operating system monopoly to prevent other applications from effectively competing against theirs, and they will then extend this new monopoly into content. I believe that this would be a serious threat to our freedom of the press. I believe that Bill Gates' Corbis' purchase of the Bettman Archive of most of the 20th century's historically important photojournalism is proof that they intend to take this direction. I also believe that their newer licensing terms which try to prevent people from using their products to criticize them is more proof of this threat to our freedom.

In fact, I believe that the break-up of DuPont into DuPont, Hercules, and Atlas several decades ago is a good precedent and should be followed in this case. The explosives and chemical industry became much stronger and more innovative because of it. DuPont's monopoly of the gunpowder market had been both an economic burden on the government and a threat to national security since a single company controlled a resource critical to national defense. Microsoft's monopoly provides exactly the same threats to the government and the nation, for exactly the same reasons. The US Navy ship which had to be towed back to port because of a Windows/NT crash is enough proof to me of this threat.

Therefore, I strongly urge you to reject the proposed settlement and impose a meaningful punishment and remedy, breaking Microsoft up into 3 independent companies: operating systems, applications, and content. Nothing less is an adequate punishment and can be as effectively implemented.

Sincerely,

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